

**CHARGES AND SPECIFICATIONS**

PD468-121 (Rev.1-02)-Pent

July 19, 2016

Command	Serial No.	I.A.B. Log No.	I.A.B. Member Notified	Department Advocate's Office Serial Number
PBBX / 163	CCRB No. 201601314	2016-26255	Sgt. Macari	2016-16105

TO THE POLICE COMMISSIONER:

	Rank-Title	Surname	First Name	MI	Shield No.	Tax Reg. No.
I hereby CHARGE	POM	Gutierrez	Manuel	A	15714	948589
Squad or Chart No	Command				Date Entered Dept.	
PBBX / 163					7/6/2010	

with VIOLATION OF DEPARTMENT REGULATIONS

SPECIFICATIONS

in that:

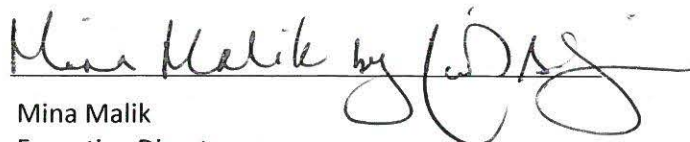
- Police Officer Manuel Gutierrez, on or about February 13, 2016, at approximately 2330, while assigned to 040 PCT and on duty, in the vicinity of § 87(2)(b), Bronx County, wrongfully used force, in that he used pepper spray against § 87(2)(b) without police necessity.
212-95, Page 1, Paragraph 1 - Use of Pepper Spray


 Nicole Junior
 Deputy Chief Prosecutor
 New York City Civilian Complaint Review Board

7/19/16
 Date

1st ENDORSEMENT

Executive Director Mina Malik of the Civilian Complaint Review Board to the Police Commissioner, July 19, 2016. I concur with the issuance of charges and specifications.



Mina Malik
Executive Director
New York City Civilian Complaint Review Board

INSTRUCTIONS FOR SERVICE OF CHARGES AND SPECIFICATIONS

1. Respondent will sign and complete where appropriate:
 - a. original charges and specifications
 - b. vacation and military leave form
 - c. two (2) copies of instructions and receipt of charges and specifications
 - d. agreement to accept service of notice form (when requested in suspension cases only).
2. Respondent will receive:
 - a. one (1) copy of charges and specifications
 - b. one (1) copy of instructions and receipt of charges and specifications form

ACKNOWLEDGEMENT OF SERVICE

I acknowledge due personal service on me of the within Charges and Specifications and notice of Hearing, this _____ day of _____, 20____ at _____ AM/PM.

WITNESS

RESPONDENT

(Rank/Title)_____
(Signature)_____
(Rank/Title)_____
(Signature)**DATESTAMP**

D.A.O.

(Out)

CMD PREFER C&S

(In)

(Out)

HIGHER COMMAND

(In)

(Out)

D.A.O.

(In)